

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LA –SRBC –Nandyal unit –Kurnool District _Owk Mandal, Gokuladinne village- OP.No.1438/03 & batch (6cases) – Market Value enhanced from Rs. 28,000/- per acre (Cat-I) & Rs.26,500/-per acre (Cat-II) to Rs.70,253/- per acre by the Hon'ble Senior Civil Judge, Nandyal –Final Decretal charges-Sanction orders-Issued.

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 289

Dated: 19.05.2010
Read the following:

1. From the Special Collector, SSP, Kurnool, Lr.No.Rc.B6/211/2009, dated. 08.09.2009.
2. From the Special Chief Secretary to Government & CCLA, A.P., Hyderabad. CCLA. Lr.No.SRP 4/876/09 Dated: 05.12.09.

O R D E R:

The Special Chief Secretary to Government & CCLA, A.P. Hyderabad and Special Collector, Srisailem Project, Kurnool in the references 1st and 2nd read above have submitted decretal charge proposals in O.P. 1438/03 & batch (6) cases for an amount of Rs.2,06,130/- (Rupees Two Lakhs Six thousand One hundred thirty only) for an extent of Ac.3.31 dry land in Sy.No. 120/2 etc acquired through Award No. 25/2002-03, dated: 14.08.2002 for the purpose of formation of SRBC ayacut road from Vemulapadu to meet Banaganapalli-Tadipatri B.T.Road(via) Gokuladinne Village, H/o. Singavaram of Owk Mandal. The Special Collector, SSP, Kurnool has submitted decretal charge proposals in O.P.No. 1438/03 and batch (6) cases for an amount of Rs. 2, 06,131/-. The Special Deputy Collector, LA, SRBC, Nandyal had acquired an extent of Ac.3.31 in Sy.No. 120/2 of Gokuladinne Village of OWK Mandal in Award No.25/2002-03, Dt.14.8.02 for the purpose of formation of SRBC ayacut road from Vempulapadu to meet Banaganapalli- Tadipatri B.T.Road (via) Gokuladinne village H/o G.Singavaram. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions u/s 18(1) of L.A. Act with a request to refer the matter to the Civil Court for adjudication for an extent of Ac.2.09 cts. On making reference U/s 18 of LA Act to the lower court the Senior Civil Judge, Nandyal in O.P.No. 1438/03 & batch (6) cases dt. 08.06.99 had delivered Judgment by enhancing market value from Rs. 28,000/- (Cat-1) to Rs. 26,500/- per acre (cat-II) to Rs.70,253/- p.a in OP.No.1438/03 & batch 6 cases. Aggrieved with the market value enhanced by the Lower Court, the SDC has sought opinion from G.P for Appeals for filing further appeal in Hon'ble High Court. The G.P for Appeals has opined that there are no merits to prefer an appeal in this case. Accordingly the Special Deputy Collector, L.A. SRBC, Nandyal has submitted proposals for an amount of Rs. 2,06,131/- towards final decretal amount in respect of O.P. Nos. 1438/03 & batch (6 cases) in Award No. 25/2002-03, dated: 14.08.2002. The Special Collector, Srisailem Project, Kurnool has finally requested to examine in Legal cell and recommend for sanction of the budget proposals towards final decretal proposal in respect of O.P.No. 1438/03 and batch (6 cases) of Gokuladinne village of Owk Mandal for Rs.2,06,131/-(Rupees Two lakhs six thousand one hundred thirty one only) to the Government, so as to enable the Special Deputy Collector, L.A. S.R.B.C. Nandyal to comply with the orders of the Reference Court and to avoid further legal complications in this case.The same amount is recommended by the CCLA, A.P. Hyderabad.

2. After careful examination of the matter, Government hereby accord sanction for an amount of **Rs. 2,06,130/- (Rupees Two Lakhs Six thousand One hundred thirty only)** towards final decretal charges to be deposited in Lower Court in O.P. No. 1438/03 and batch (6 cases) pertaining to the lands acquired in Sy.No. 120/2, extent of Ac. 3.31 of Gokuladinne Village of Owk Mandal acquired in Award No. 25/2002-03, Dt: 14.08.2002 for the purpose of formation of SRBC ayacut road from Vempulapadu to meet Banaganapalli-Tadipatri B.T.Road (via)

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Gokuladinne village H/o. Singavaram. subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject. In case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, SSP, Kurnool should verify the calculations made by the LAO, once again thoroughly with reference to the decree and instructions issued by the Government/CCLA, Hyderabad on the subject from time to time.

3. The Special Collector, SSP, Kurnool is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the LAO once again at his level and also verify the decrees and decretal charges, if any, already paid. He is also directed to follow the directions of Hon'ble High Court order dt:30.04.2007 in W.P.No. 2181/2005 in depositing the above sanctioned amount in the respective court.

4. The amount sanctioned in para (2) above shall be debitable to the Head of Account under : "2701 -COL on Major and Medium Irrigation; 01 - Major Irrigation (Commercial); MH 123 -SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries';530MajorWorks;532-Lands(charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This order issues with the concurrence of Finance (Exp.P.W1) Department vide their U.O.No. 2121/F4(1)/2010-1, Dated: 4.05.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary to Government &CCLA, A.P. Hyderabad
The Special Collector, SSP, Kurnool
The Special Deputy Collector, LA, SRBC, Nandyal
The Chief Engineer, Major Irrigation(Commercial), Erramanzil, Hyderabad
The Engineer-in-Chief, Irrigation, Erramanzil, Hyderabad
The Revenue Divisional Officer, Nandyal
The Accountant General, A.P.Hyderabad
The Director of Works & Accounts, Hyderabad
The District Treasury Officer, Kurnool
The S.T.O. Nandyal
The Joint Director, Works & Accounts, SRBC, Srisailam, Kurnool
The Pay & Accounts Officer, Kurnool
Copy to
The P.S. to Minister (M&MI)
The Law Department/Finance (Exp.PW)Department,
C.C.No. 32896/L.A.II/A1/2009
Stock file/Spare copies.

//FORWARDED BY ORDER//

SECTION OFFICER